

PLANNING COMMISSION STAFF REPORT

REPORT DATE:

-May 15, 2008

AGENDA DATE:

May 22, 2008

PROJECT ADDRESS: 101 E. Victoria Street (MST2006-00758)

TO:

Planning Commission

FROM:

Planning Division, (805) 564-5470

Jan Hubbell, AICP, Senior Planner

Kathleen Kennedy, Associate Planner Kath

I. PROJECT DESCRIPTION

The project consists of a proposal to demolish an existing two-story 11,900 square foot commercial office building and construct 17,607 square feet of commercial space comprised of 50 condominium office units on a parcel of approximately 19,725 square feet. The proposal consists of one-, two and three-story elements and would have a maximum height of 35 feet. The commercial condominium units would range in size from approximately 294 to 333 square feet each. The first floor would consist of 22 units and a common locker room, shower and restroom facility, the second floor would consist of 17 units and a common conference room and the third floor would consist of 11 units. Because the existing development of 11,900 square feet is less than the 17,607 square feet required for the proposal, an additional 5,707 square feet of commercial space would be needed. A total of 3,000 square feet is requested from the Minor and Small Addition categories and the remaining 2,707 square feet is requested from the Economic Development Project category. A total of forty-five parking spaces would be provided in an underground garage, with eight reserved for the adjacent parcel located at 109 E. Victoria Street (see Exhibit B – Site Plan).

Currently, there are reciprocal easements for vehicular and pedestrian access and parking between the subject parcel and the adjacent parcel (109 E. Victoria St.). As part of the proposed project, new easement agreements between the two parcels would be executed. A new parking and access easement would allow tenants of the adjacent parcel to use eight of the parking spaces within the underground garage. A new trash area and access easement would allow the subject property to use the trash area on the adjacent parcel. A light, air and landscaping easement located on the adjacent parcel would allow the proposed project to construct openings on the property line. In addition, a 10 foot wide subsurface easement is proposed to allow a portion of the underground parking to encroach into the adjacent parcel. The locations of the easements are shown on the project plans.

Also, the 14 foot high walls associated with that portion of the existing building located near the residential condominiums in Arlington Court would remain. The adjacent parcel (Arlington Court) has an easement to maintain the exterior of the walls that face their property.

The project site is an active Leaking Underground Fuel Tank (LUFT) site with ongoing soil and groundwater remediation activities as required by the Santa Barbara County Fire Department. Written evidence of completion of all requirements has been added as a conditional of approval for this project. Additional project information is included in the letter from the applicant (see Exhibit C – Applicant's Letter).

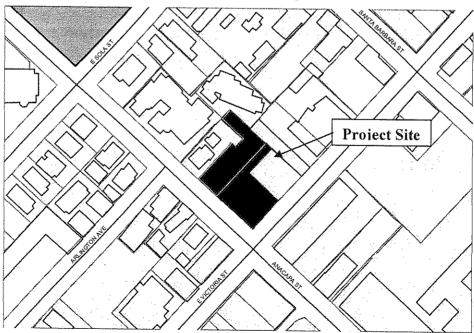
II. REQUIRED APPLICATIONS

The proposed project requires the following discretionary applications:

- 1. <u>Modification</u> of the parking requirements to allow less than the number of required parking spaces (SBMC§28.90);
- 2. <u>Tentative Subdivision Map</u> to create a one-lot subdivision for 50 commercial condominium units (SBMC§27.07);
- 3. <u>Development Plan</u> approval to allow 5,707 square feet of additional non-residential development (SBMC§28.87.300); and
- 4. <u>Preliminary Economic Development Determination</u> (SBMC28.87.300) for 2,707 square feet.

III. <u>RECOMMENDATION</u>

With approval of the parking modification, the proposed project conforms to the City's Zoning and Building Ordinances and policies of the General Plan. In addition, the size and massing of the project are consistent with the surrounding neighborhood. Therefore, Staff recommends that the Planning Commission approve the project, making the findings outlined in Section VII of this report, and subject to the conditions of approval in Exhibit A, and forward the project to the City Council with a recommendation for approval of the Final Economic Development Determination.



Vicinity Map for 101 E. Victoria Street

APPLICATION DEEMED COMPLETE:

March 4, 2008

DATE ACTION REQUIRED:

May 23, 2008

IV. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant: Cearnal Andrulaitis LLP	Property Owner: 101 E. Victoria, A California Limited Partnership		
Parcel Number: 029-071-013	Lot Area: 19,725 square feet		
General Plan: Commercial Office	Zoning: C-2, Commercial		
Existing Use: Residential	Topography: flat		
Adjacent Land Uses:			
North - Residential East - Commercial			
South - Commercial West - Commercial and Residentia			

B. PROJECT STATISTICS

Commercial	Use	Square Feet (net)	
First floor	22 units and common locker room	7,772 sq. ft.	
Second Floor	17 units and common conference room	5,804 sq. ft.	
Third Floor	11 units	3,493 sq. ft.	
Underground Garage	45 parking spaces	15,746 sq. ft.	

V. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/ Allowance	Existing	Proposed
Setbacks -Front -Interior/Rear	none none	Varies 0' to 100' Varies 0' to 40'	Varies 0' to 6'-7"
Building Height	4 stories, 60 feet	2 stories, 24 feet	3 stories, 35 feet
Parking Spaces	1/250 sq. ft.; 20 % zone of benefit; 10 % reduction for buildings over 10,000 sq. ft. = 50 spaces	32 parking spaces	45 parking spaces (37 for the project; 8 for the adjacent parcel)
Lot Coverage -Building -Paving/Driveway -Landscaping	N/A N/A N/A	9,529 sq. ft. (48.3%) 9,154 sq. ft. (46.4%) 1,042sq. ft. (5.3%) 19,725 sq. ft. (100%)	9,199 sq. ft. (46.6%) 6,541 sq. ft. (33.2%) 3,985 sq. ft. (35%) 19,725 sq. ft. (100%)

Parking Modification: The proposed project would meet all of the C-2, Commercial, zone requirements with the exception of the required number of parking spaces. Based on the size of the proposal (17,607 sq. ft.), 50 parking spaces are required for the commercial condominium units (70 spaces less the 20% zone of benefit and less 10 % for a building over 10,000 sq. ft.). With the inclusion of the additional eight parking spaces for the adjacent parcel, a total of 58 parking spaces would be needed.

The applicant submitted a Parking Study prepared by Associated Traffic Engineers, dated September 12, 2007 (see Exhibit D – Parking Study), which concludes that the parking demand for the 50 commercial condominium units would be 37 parking spaces. The demand was calculated using the parking demand rate for General Office buildings located in downtown urban areas from the Institute of Transportation Engineers (ITE) Parking Generation report, along with a 20% reduction based on the City's Zone of Benefit.

The proposal consists of a total of 45 parking spaces with 37 parking spaces for the fifty commercial condominium units and 8 parking spaces for the exclusive use of the adjacent development at 109 E. Victoria Street; therefore, the project meets the estimated parking demand.

The proposed project was presented to the Planning Commission at a concept review hearing on May 10, 2007. At that time, the Commissioners stated that the parking study was unacceptable, that they were not in support of the parking modification, and that all fifty required parking spaces should be provided for the fifty commercial units. One Commissioner stated that if it were later determined that not all of the parking spaces were needed, the extra spaces could be either converted to storage space or could be leased (see Exhibit E-PC Minutes).

Transportation Planning Staff concurs with the conclusions of the Parking Study and is in support of the parking modification for a number of reasons. The project site is directly adjacent to the Central Business District where the parking requirement is 1 space per 500 square feet instead of 1 space per 250 square feet. If the lower parking rate were to apply to this project, as it did to the recently constructed Penfield & Smith development to the east (via an approved parking modification), the requirement for the project would be for 25 parking spaces (35 spaces less the 20% zone of benefit and less 10 % for a building over 10,000 sq. ft.). With the inclusion of the additional eight parking spaces for the adjacent parcel, a total of 33 parking spaces would be needed. This is less than the 37 spaces proposed for the new commercial condominiums.

Also, as stated by the applicant, the proposed project would not be a traditional office building, as it is intended to meet the needs of sole proprietors and small businesses, and would not be expected to be completely occupied at any given time of the day. In addition, alternative transportation would be encouraged and accommodated with bicycle parking and locker rooms with showers. Finally, connections to area transit are nearby.

Because medical/dental office, restaurant, bar/night club, or retail uses would result in higher parking demand as well as increased traffic trip generation, these uses would be prohibited; therefore, Staff has included this as a recommended condition of approval.

Also, the proposed Klaus Parking lift system (Model 2062-185) has been accepted by Transportation Planning staff for use by this project to provide 6 of the 45 proposed parking spaces (see Exhibit G – Klaus Parking Lift). Because the system does not require removing one vehicle to access another, the lifts are not considered tandem parking. Therefore, staff supports granting a parking design waiver.

Non-residential square footage allocations: The proposed project would require an additional 5,707 square feet of non-residential floor area. A total of 3,000 square feet is requested from the Minor and Small Addition categories and the remaining 2,707 square feet is requested from the Economic Development Project category.

On May 6, 2008, the City Council made a preliminary finding that the proposed project meets the definition of an Economic Development Project and granted the proposed project a Preliminary Economic Development Designation for 2,707 square feet of non-residential floor area. The basis for this conclusion is explained in more detail in Exhibit H – City Council Report. The motion to grant the designation included a request that the number of commercial condominiums allowed to be combined be limited in order to maintain the project as a small condominium development. Staff would like the Planning Commission to consider a condition of approval to address this issue. Suggestions include limiting the number of units allowed to be combined or a limiting the maximum square footage for any given unit.

Upon approval of the project and a recommendation by the Planning Commission, the project application would be forwarded to the City Council for a Final Designation as an Economic Development Project.

VI. <u>ISSUES</u>

A. PLANNING COMMISSION CONCEPT REVIEW

As stated above, on May 10, 2007, the Planning Commission reviewed the project on a conceptual level (see Exhibit E – PC Minutes). The Commissioners commented favorably on the unique small commercial condominium development concept and on the architectural design. Most Commissioners expressed concerns regarding the location of the garage entrance on Anacapa Street and the impact of delivery trucks on Anacapa Street, which is busier than Victoria Street. While Victoria Street's average daily traffic volume is approximately one half that of Anacapa Street, Staff determined that the additional distance from the intersection provided by an Anacapa Street ramp versus a Victoria Street ramp was the superior location design. With a Victoria Street ramp, vehicle queuing impacts to the intersection could occur because the intersection is approximately 75 feet closer than the proposed ramp. Additionally, red curb will be maintained on both streets precluding vehicles from stopping with the exception of approximately 50 feet south of the garage ramp.

B. COMPLIANCE WITH THE GENERAL PLAN

Land Use Element: The project site is located in the Downtown neighborhood, which is bounded on the north by Sola Street; on the south by Ortega Street; on the east by Santa Barbara Street; and on the west by De la Vina Street.

Since it is the Central Core, the Downtown area is more intensively used than other parts of the City. In addition to its primary function called for in the General Plan as General Commercial and Office Use, the Downtown also houses a small number of City residents. The proposed project, consisting of fifty small office condominium units, is appropriate for the downtown area.

C. DESIGN REVIEW

The proposed project was reviewed by the Historic Landmarks Commission (HLC) on three occasions (see Exhibit F– HLC Minutes). On April 4, 2007, the Commission continued the project to the PC with the comment that the size, bulk and scale of the proposal were acceptable. The HLC had a concern that the proposed court yard needs to be a usable open space and that the landscaping needs to be more substantial.

D. ENVIRONMENTAL REVIEW

Cultural Resources: A Phase I Archaeological Resources Report prepared by Dudek dated January 2008, was accepted by the Historic Landmarks Commission on February 20, 2008. The report concludes that the proposed project would not have the potential to result in significant impacts on either prehistoric or historic archeological resources and no mitigation measures are required.

Conclusion: Staff has determined that the project is exempt from further environmental review pursuant to California Environmental Quality Act Guidelines Section 15332 (In-fill Development Project) as discussed below. This is an exemption that consists of projects characterized as in-fill development meeting the conditions described below.

- 1. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. With the approval of the parking modification, as allowed by the Zoning Ordinance, the project would be consistent with the General Plan designation (Commercial), all applicable General Plan policies, the Zoning designation (C-2, Commercial), and regulations.
- 2. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. The project site is 19,725 square feet, is within the City limits and is surrounded by urban uses.
- 3. The project site has no value as habitat for endangered, rare, or threatened species. The existing structures on the site include one commercial building and paved parking areas and the site has no value as habitat for endangered, rare, or threatened species.
- 4. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

Traffic: Staff prepared a traffic trip generation analysis for the proposed project. A proposed building increase of 5,707 square feet was applied to an Institute of Transportation Engineers (ITE) trip generation rate for an assumed General Office land use designation. It is estimated that the proposed project would approximately generate an additional 15 AM peak hour trips, 15 PM peak hour trips and 112 average daily trips over the existing development.

The City of Santa Barbara has established the following threshold criteria to determine if a project has a significant traffic impact:

- * A project-specific significant impact is deemed to have occurred if a development project would cause the volume-to-capacity (V/C) ratio at an intersection to exceed 0.77, or if the project would increase the V/C ratio at intersections which already exceed 0.77 by 0.01.
- * A cumulative project significant impact is deemed to have occurred if a development project would add traffic to an intersection which is forecast to operate above V/C = 0.77 with cumulative traffic volumes.

The City's practice is to follow five trips in any direction to or from a site to determine compliance with the cumulative threshold. Once less than five trips are determined to be headed in any one direction, distribution (or "following") of these trips ceases because Staff cannot state with statistical certainty where these trips would be headed on a daily basis.

When the vehicle trips generated by this project are distributed to the adjacent street network, it is not expected to exceed the City's standard threshold that would result in traffic impacts to the nearby intersections. Particular attention was given to the Carrillo Street at Highway 101 ramps as they are currently impacted. Staff determined that due to the proximity of the site to the north-bound Highway 101 ramp at Arrellaga Street, the majority of north bound highway traffic would use the Arrellaga Street ramp and not impact the Carrillo Street intersection. Thus, the Transportation Division anticipates that this project would not generate project-specific or cumulative traffic impacts compared to the current use. Because medical/dental office, restaurant, bar/night club, or retail uses would result in increased traffic trip generation, these uses will be prohibited as a condition of approval.

Noise: According to the City's Master Environmental Assessment (MEA), the portion of the project site located closest to Anacapa Street is in an area with a noise contour of between 60 and 65dBA. The remaining portion is in an area of less than 60 dBA (decibels). Because this is below the acceptable threshold for commercial uses, there would be no significant long-term noise impacts.

Air Quality: The City uses the Santa Barbara County Air Pollution Control District's (APCD) thresholds of significance for air quality impacts. It has been determined that a project consisting of 50 commercial units (17,607 square feet of commercial space) would not result in significant air quality impacts. The project would involve grading, paving and landscaping activities that could result in short-term dust related impacts. Standard dust control measures are included in the conditions of approval; therefore, no significant air quality effects would result.

Water Quality: The project is subject to the City's Storm Water Management Plan. A condition of approval is included that requires the installation of onsite pollution prevention interceptor devices; therefore, the proposed project would not be expected to cause significant impacts to water quality.

5. The site can be adequately served by all required utilities and public services. All required utilities and public services are available to adequately serve the project.

VII. FINDINGS

The Planning Commission finds the following:

A. Parking Modification (SBMC§28.90.100)

The modification to allow less than the required number of parking spaces will not be inconsistent with the purposes and intent of the Zoning Ordinance and will not cause an increase in the demand for parking space or loading space in the immediate area because the project meets the estimated parking demand.

B. THE TENTATIVE MAP (SBMC§27.07.100)

With the approval of the parking modification, the Tentative Subdivision Map is consistent with the General Plan and the Zoning Ordinance of the City of Santa Barbara. The site is physically suitable for the proposed development and the proposed commercial use is consistent with the vision for this neighborhood of the General Plan. The design of the project will not cause substantial environmental damage, and associated improvements will not cause serious public health problems.

C. DEVELOPMENT PLAN APPROVAL (SBMC§28.87.300)

- 1. The proposed development complies with all of provisions of the Zoning Ordinance. With the approval of the parking modification, the proposed project would comply with all requirements of the C-2, Commercial zone including number of stories and building height.
- 2. The proposed development is consistent with the principles of sound community planning. The project is an infill commercial project proposed in an area where commercial developments are allowed.
- 3. The proposed development will not have a significant adverse impact upon the neighborhood's aesthetics/character in that the size, bulk and scale of the development are compatible with the neighborhood. The proposed design has been reviewed by the City's design review board, which found the architecture and site design appropriate.
- 4. The proposed development will not have a significant unmitigated adverse impact upon the City and South Coast affordable housing stock. As a commercial project, it is not expected to have an adverse affect on the affordable housing stock.
- 5. The proposed development will not have a significant unmitigated adverse impact on the City's water resources. *All required utilities and public services are available to adequately serve the project.*

- 6. The proposed development will not have a significant unmitigated adverse impact on the City's traffic. A traffic trip generation analysis was prepared for the proposed project and it was determined that that the proposed project would approximately generate an additional 15 AM peak hour trips, 15 PM peak hour trips and 112 average daily trips over the existing development. When the vehicle trips generated by this project are distributed to the adjacent street network, it is not expected to exceed the City's standard threshold that would result in traffic impacts to the nearby intersections.
- 7. Resources are available and any applicable traffic improvements will be in place at the time of project occupancy. No traffic improvements are required for the proposed project.

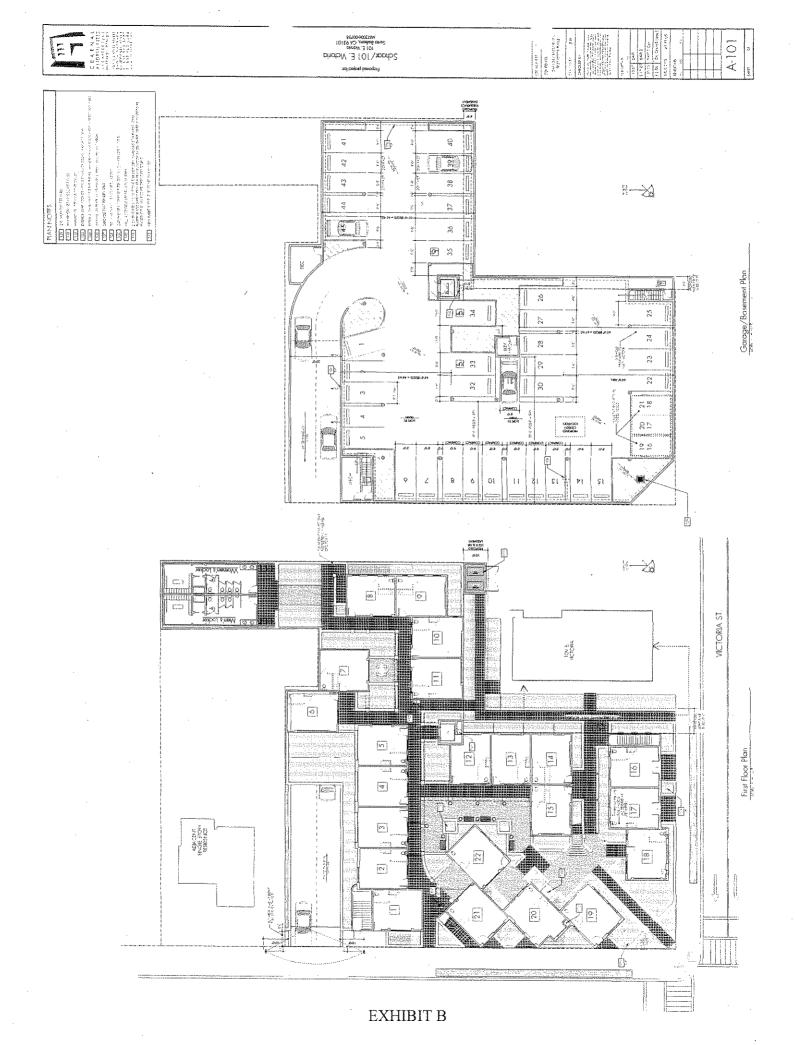
D. ECONOMIC DEVELOPMENT DESIGNATION (SBMC§28.87.300)

The proposed development qualifies as an Economic Development Project because it will enhance the standard of living* for City and South Coast residents and strengthen the local or regional economy by either creating new permanent employment opportunities or enhancing the City's revenue base. It will also accomplish one or more of the following: support diversity and balance in the local or regional economy by establishing or expanding businesses or industries in sectors which currently do not exist on the South Coast or are present only in a limited manner; provide new recreational, educational, or cultural opportunities for City residents and visitors; or provide products or services which are currently not available or are in limited supply either locally or regionally.

*Standard of living is defined as wages, employment, environment, resources, public safety, housing, schools, parks and recreation, social and human services, and cultural arts.

Exhibits:

- A. Conditions of Approval
- B. Site Plan
- C. Applicant's letter, dated May 13, 2008
- D. Parking Study prepared by ATE dated September 12, 2007
- E. Planning Commission Minutes May 10, 2007
- F. Historic Landmarks Commission Minutes dated 2/21, 3/7, & 4/4/07
- G. Klaus Parking System Details
- H. City Council Report dated May 5, 2008



May 13, 2008

VIA EMAIL AND HAND DELIVERY

Chair Jacobs and Members of the Planning Commission City of Santa Barbara 630 Garden Street Santa Barbara, CA 93101 Eva A. Truenchalk, AICP Land Use Planner 805.882.1436 tel 805.965.4333 fax eturenchalk@bhfs.com

RE:

DART Re-Submittal for Condominium Office Project 101 E. Victoria Street, APN: 029-071-013

Dear Chair Jacobs and Members of the Planning Commission:

Our office represents 101 East Victoria, LLC, applicants for a condominium office project on Victoria Street. 101 East Victoria, LLC proposes to replace the existing building at 101 E. Victoria, on the corner of Victoria and Anacapa Streets (APN: 029-071-013), with individual office condominiums. The condominiums will be approximately 320 sq.ft. each, and are intended to allow sole proprietors and very small businesses the opportunity to purchase their own office space. Parking for the project will be provided via a new underground parking garage on the property.

This project was reviewed by HLC on February 21st, March 7th and April 4th of this year. Overall, we received favorable comments on the architecture and the size, bulk and scale of the project.

This project was before your Commission on May 10, 2007 for Conceptual review. During this hearing we received direction to work with Public Works staff regarding our request for a parking Modification, and we received favorable comments on our request for Measure E square footage under the Economic Development Project category. On May 6th of this year we went before the City Council and received a preliminary Economic Development designation for our Measure E request.

PROJECT DETAILS

The existing 11,900 sf commercial office space will be demolished and replaced with 50 commercial condominiums totaling 17,607 sq.ft. The units are configured in clusters to create a village atmosphere with paseos and courtyards which will allow for landscape opportunities throughout the site.

The project height will vary throughout the project, with a maximum height of three stories. The proposed project includes 22 units on the first floor, 17 units on the second floor and 11 units on the third floor. Each unit is approximately 320 sq.ft. in size. The first floor will also house locker/restroom facilities and a community conference room will be located on the second floor.

The office condominiums are intended to serve sole proprietors and very small businesses looking for the opportunity to own their own office space downtown. While we believe that the size of the units will discourage uses outside of this category, we are happy to incorporate language in the project CC&Rs that prohibits medical office or retail use if staff requests it.

An underground parking garage will provide 45 parking spaces, eight of which will be reserved for the property owner at 109 E. Victoria based on an existing easement agreement. Upon project approval, the existing easement will be revised to allow tenants at 109 E. Victoria access to the underground parking garage as detailed in the "Agreement Regarding Parking, Trash Access, Light, Air, and Landscaping Easements" between 101 East Victoria, a California Limited Partnership and the adjacent property owner included as part of this submittal. Also included in the Agreement are the details of how other existing easements will be revised and new easements will be created to allow openings along the property line, a portion of the parking garage to encroach into the 109 E. Victoria property, and a landscape easement between the two properties. Having received direction from staff in the DART review process, we worked with the City Attorney's office to create this Agreement sensitive to and compliant with City requirements.

Replacing the existing at-grade parking with an underground parking garage, combined with the proposed landscape easement provides the opportunity for greatly enhanced landscaping on this key, corner property. Site landscaping will go from just over 5% of the site to approximately 31% of the site as part of the proposed project.

Demolition of the existing building is expected to take approximately one week, site grading will take two weeks and project construction is expected to take approximate one year. It is anticipated that site work will be phased so as to minimize encroachment into the public right-of-way.

SUSTAINABILITY

101 East Victoria, LLC will be a model project for sustainable development and has been designed to achieve a LEED[®] Silver Rating. Some of the sustainable aspects include:

- · Bicycle storage and locker rooms for non-auto commuters
- · Alternative fuel refueling stations for plug-in hybrids, electric bikes and segways.
- · Stormwater treatment and rainwater retention for landscaping
- 2,223 square feet of "green" roofs to reduce heat islands
- 4 KW photovoltaic system
- · Dual flush toilets, waterless urinals and water-efficient landscaping
- · Construction waste management plan to divert 75% of construction waste

DISCRETIONARY APPLICATIONS REQUESTED

- 1) <u>Tentative Subdivision Map:</u> The proposed project includes 50 office condominiums intended to be owned as individual units. As such, we are requesting a one-lot subdivision for fifty (50) airspace commercial condominiums.
- 2) <u>Development Plan for Measure E Square Footage:</u> Our application includes a Development Plan request for square footage under Measure E. The existing office building on the property is 11,900 sq.ft. and the proposed project would include 17,607 sq.ft. of office space. In addition to applying the 3,000 sq.ft. allocated to the property under the Small Addition provision of Measure E, we are requesting an additional allocation of 2,707 sq.ft. under the Economic Development Project provision of Measure E.

An Economic Development Project is defined as one which "will enhance the standard of living for City and South Coast residents and will strengthen the local or regional economy by either creating new permanent employment opportunities or enhancing the City's revenue base." An Economic Development Project should also accomplish one of three goals contained in the Zoning Ordinance.

The proposed project meets both of these standards. In addition to increasing the City's revenue base, the project would accomplish goal (c) which is to "provide products or services which are currently not available or are in limited supply either locally or regionally." We know of no other condominium office space in the City or the region that allows sole practitioners or very small businesses the opportunity to purchase their own office space. There is a tremendous unmet need in the commercial market for such facilities. Approving this project as an Economic Development Project would fill that void and, further, would allow many of the future owners to relocate their offices from their homes into the downtown area, where, in addition to conducting their businesses, they are likely to go out for lunch and run their errands. As a result, this project will provide economic benefit to the small business owners looking for their own space in the downtown area, to the existing downtown merchants that will benefit from having these business owners downtown, and to the City by way of increased sales tax.

In order to assist Staff, Planning Commission, and City Council make Economic Development allocation findings, we have attached supporting information detailing how other unique commercial developments in the Southern California area have been successful and beneficial to the communities in which they exist.

3) Parking Modification: The project site is required to have 58 parking spaces (50 for the proposed project per SBMC §28.90.100.D.1/I/J.1, plus 8 required by an existing easement with 109 E. Victoria Street, APN 029-071-012). We are proposing 45 total parking spaces (37 for the proposed project and 8 for the adjacent property) and are therefore requesting a Parking Modification to reduce the project's parking requirement by 13 parking spaces.

Although the Zoning Ordinance would require 50 parking spaces for the proposed project, this requirement is based on a generic calculation for office space and does not take into account specific details of both the proposed project and of the project site. Included in this submittal is a parking study prepared by ATE stating that 37 parking spaces would meet the parking demand on the property. ATE's findings are generally supported by Staff's independent analysis, as indicated our 30-Day Letter.

In addition to meeting our actual parking demand as calculated by ATE, there are several additional reasons why we believe the proposed 37 parking spaces would adequately serve the proposed project:

- The project is located just outside the Central Business District (CBD) zone, whose boundary is just across the street from the project on Victoria. The CBD reduces the parking demand from 1 space per 250 sf. to 1 space per 500 sf. The recently constructed Penfield and Smith Building, which is a few doors down and on the same side of Victoria as this project site, was granted a parking modification based on its proximity to the CBD. If the CBD reduction were to be applied to this project as it was to the P&S project, the 101 East project would only be required to provide 25 parking spaces.
- The Zone of Benefit has not been adjusted to account for the new Granada Garage. An increase in the Zone of Benefit would likely result in the project's fully meeting its parking demand. While Staff has clarified that the zone won't technically be adjusted in this area, we believe that, due to its close proximity, the reality is that the Granada Garage will benefit this site.
- The proposed project is not a traditional office building that will be fully occupied all day. These will be individual offices owned by sole practitioners looking for some office or meeting space in the downtown area. Occupancy of the project will likely be staggered throughout the day, and thus it is very unlikely that all of the offices will be occupied at any given time.

• The project will be providing bicycle parking as well as a locker room with showers to facilitate the use of alternative transportation for the building occupants.

Given all of this information, we feel strongly that the 37 spaces we are proposing for the project will fully satisfy the parking demand. We also feel strongly that projects should not be overparked, particularly in the downtown area, so as to encourage and incentivize the use of alternative transportation.

We see this project as very beneficial to the City in many ways, and hope you concur in this assessment. Should you have any questions as you review this proposal, please do not hesitate to contact me. We look forward to working with you towards the successful completion of this project.

Sincerely,

Eva A. Turenchalk, AICP LEED® Accredited Professional

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- 2. The Local Coastal Plan Amendments were introduced at City Council and will be adopted next week.
- 3. City Council has requested a meeting held including the Council, Planning Commission, Architectural Board of Review, and the Historic Landmarks Commission regarding tools for reviewing building height and neighborhood compatibility.
- 4. The Upper State Street Study was adopted by City Council on Tuesday with some changes.
- C. Comments from members of the public pertaining to items not on this agenda.
 Chair Myers opened the public hearing at 1:03 P.M. and, with no one wishing to speak, the hearing was closed.

II. CONCEPT REVIEW:

ACTUAL TIME: 1:03 P.M.

APPLICATION OF CEARNAL ANDRULAITIS LLP, ARCHITECT FOR SCHAAR HOMES, 101 E. VICTORIA STREET, APN 029-071-013, C-2, COMMERCIAL ZONE, GENERAL PLAN DESIGNATION: COMMERCIAL OFFICE (MST2006-00758)

The project consists of a proposal to demolish an existing two-story 11,900 square foot commercial office building and construct a new three-story 17,659 square foot commercial building comprised of 50 condominium office units on a 19,725 square foot parcel. A total of forty-five parking spaces would be provided in an underground garage, with eight reserved for the adjacent parcel located at 109 E. Victoria Street.

The purpose of the concept review is to allow the Planning Commission and the public an opportunity to review the proposed project design at a conceptual level and provide the Applicant and Staff with feedback and direction regarding the proposed land use and design. No formal action on the development proposal will be taken at the concept review, nor will any determination be made regarding environmental review of the proposed project.

Upon review and formal action on the application for the development proposal, the proposed project will require the following discretionary applications:

- 1. <u>Modification</u> of the parking requirements to allow less than the number of required parking spaces (SBMC§28.90);
- 2. <u>Tentative Subdivision Map</u> to create a one-lot subdivision for 50 commercial condominium units (SBMC§27.07); and
- 3. <u>Development Plan</u> approval to allow an estimated 5,759 square feet of additional non-residential development (SBMC§28.87.300).

Case Planner: Kathleen Kennedy, Associate Planner

Email: kkennedy@SantaBarbaraCA.gov

Kathleen Kennedy, Associate Planner, gave the Staff presentation.

Staff responded to the Commissions question regarding the per space cost of the Granada Garage.

Brian Cearnal, Architect, gave the applicant presentation and introduced Nick Schaar, owner.

Mr. Cearnal answered the Commission's questions regarding the comparison of this project's cost with the Granada Garage's cost per space, and clarification of square footage provided in the report.

Chair Myers opened the public hearing at 1:27 P.M. and the following people spoke:

- 1. Len Kaplan, neighbor, was concerned with the potential problem of left-hand turns onto Anacapa Street from the proposed project, security, and signage.
- 2. Jim Westby, Vice President, Santa Barbara Safe Streets, expressed concern about any parking modifications; questioned actual use of alternative transportation; the potential for conversion of commercial condominium to residential use; and liked the concept but would like to see an Environmental Impact Report prepared for traffic and parking.
- 3. Kellam De Forest, concerned with parking and how much bulk is proposed.
- 4. Faye Rossow, neighbor, requested that a full Environmental Impact Report be prepared; concerned with where delivery trucks will park; and recommended driveway access from Victoria Street only.
- 5. Rolf Koval, neighbor, expressed concern over the history of the project site and hot spot clean up.

With no one else wishing to speak, the public hearing was closed at 1:38 P.M.

Mr. Cearnal stated that Covenants, Conditions & Restrictions (CC&R's) will restrict sleeping in the units; building heights will be less than 35', and provided a status of ongoing site clean-up.

Mr. Cearnal answered the Commission's questions regarding the location of the driveway on Anacapa Street instead of Victoria Street.

Staff answered the Commission's questions on the traffic generation rate of individual office condominiums as opposed to the larger shared office space; inability to provide increased participation in the zone of benefit; and clarification of zone of benefit affect on project parking.

Staff commented that the 1 parking space per 500 SF requirement consideration was made for traffic reduction.

Commissioner's comments:

- 1. All Commissioners commented favorably on the small commercial condominium concept being unique for Santa Barbara. Liked architectural approach. Suggested condition on types of uses to prevent four or five units merging together to form a restaurant.
- 2. Commissioners commented favorably on allowing the project to acquire non-residential square footage through the Economic Development Category (Measure E).
- 3. Commissioners stated that the parking demand study was not acceptable and were not in support of the parking modification.
- 4. Expressed concern about the parking study conclusions and suggested that all required parking spaces be provided, then if it was determined later on that they were not needed they could be converted to storage space or could be leased. Providing some larger units as part of the design could lend itself to tandem parking.
- 5. Concerned with safety and traffic circulation. Suggested car-share incentives offered, use of electric vehicle and tandem parking be considered.
- 6. Density of 50 units appears to be heavy; needs to be reviewed.
- 7. Suggested inclusion of pedestrian paseos on east side.
- 8. Most Commissioners suggested consideration of the garage entrance on Victoria Street because of traffic on highly-used Anacapa Street; could visualize delivery trucks on Victoria, but not on Anacapa Street. Would like to see parking entrance away from the adjacent residential lot.
- 9. Suggested variance in office sizes to accommodate two-person office.
- 10. Would like to see a completed LEED's worksheet accompany development application.
- 11. Would like to see owners association fund bus passes.
- 12. Would like to see western elevation and shadow lines on neighboring unit considered.
- 13. Commented on the history behind the boundary for what is considered the Central Business District.
- 14. Suggested looking at similar project at 400 block of E. Gutierrez that also has small office spaces and limited parking, which has been a problem.
- 15. Referenced Luria project on West De la Guerra Street where there is leasing of parking spaces.
- 16. Willing to look at creative solutions to issues raised, but be cautious, too.

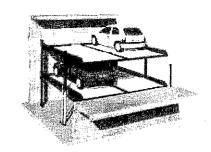
III. NEW ITEM:

ACTUAL TIME: 2:18 P.M.



2062 PARKING MACHINE

FEATURES



Design

Available in single car or double car wide with 5 widths each

Available in 5 headroom heights, from 5'-2" to 6'-7"

Available in 4400 lbs or 5060 lbs load capacity

Spacious design for opening doors

For ceilings as low as 10'-8"

Safety

Key operated to prevent unauthorized use

Dual hydraulic valves on each machine

Equalizing bar to ensure leveled vertical motion

24 Volt control circuit

Simple lowering procedure for power outages

Construction

Galvanized steel platforms

Completely sealed platforms to prevent drip through

Framing members powder coated (gray)

220 Volt, Single phase, 30 Amps; or

208 Volt, Three phase, 30 Amps

Made in Germany

Approvals

Meets UBC seismic criteria

UL listed electrical components

Meets European standard EN 14010

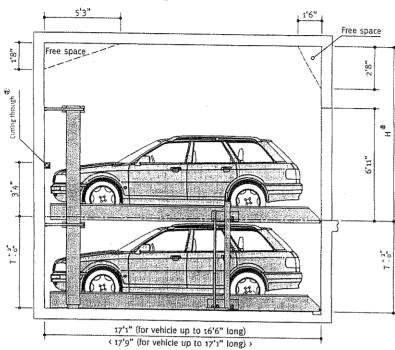
Klaus Parking Systems, Inc. 3652 Chestnut St., Ste. A, Lafayette, CA 94549 Ph: 925-284-2092 Fax: 925-284-3365

www.parklift.com

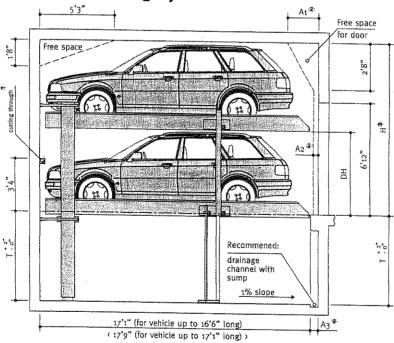
ITY OF SANIA BARBARA PLANNING DIVISION



Basement Garage



Garage with Door in Front of Car Parking System



- * For dividing walls: cutting through of dividing wall 10 x 10
- 2 (for duct of cables).

Dimensions A1, A2 and A3 must be coordinated with door supplier

If dimension "H" is increased by the customer, correspondingly higher vehicles may be parked on the top platform/s.

Note:

only applicable to Mercedes "5" Class (1991 model onwards):
Pit length 17'9" (with towbar 18'1"), max authorized loading 2.5 tons, max.
individual wheel loading 625 kg, usuable platform width 8'3". The above
vehicle is only to be parked on Type G 62-170/185 EB (special model).

Stack Parker

2062



Car Parking Systemi2000

Dimensions:

All space requirements are minimum finished dimensions; dimensions in inch.

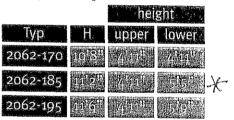


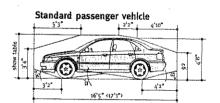
EB (single platform) = 2 vehicles

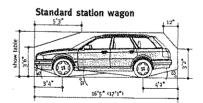
DB (double platform) = 4 vehicles

Suitable for:

Standard passenger vehicle and standard station wagon according to contour







Weight: max. 2000 kg Wheel load: max, 500 kg

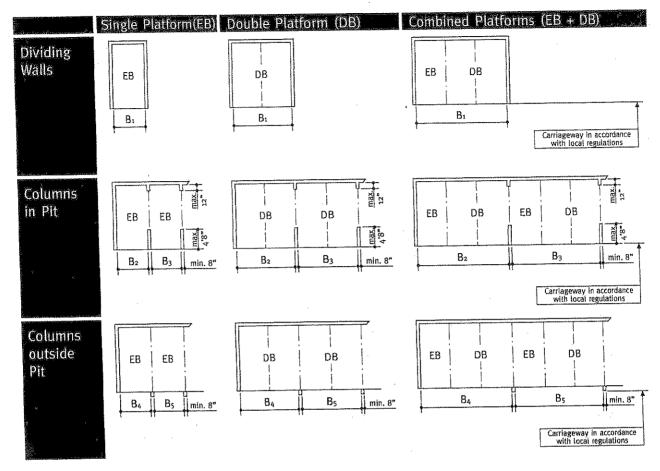


Standard vehicles are vehicles without any sports options such as spoilers, low-profile tyres etc.

Klaus Auto-Parksysteme GmbH

Hermann-Krum-Straße 2 D-88319 Altrach Tel. 07565/508-0 Fax 07565/508-88 http://www.klaus-autopark.de e-mail: info@klaus-autopark.de

Widths/Basement Garage



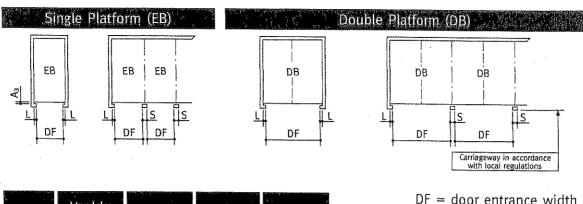
	Usable Platform Width	Dividing Walls	Columns în Pit				Columns outside Pit	
	, , , , , , , , , , , , , , , , , , , ,	B ₁	Bz	\mathbf{B}_{2}	B/ ₁	B ₅		
	77"	8'7"	8'5"	8'3"	8'3''	7'11''		
EB	7'11"	8'11"	8'9"	8'7"	8'7"	8'3"		
	8'3"	9'3"	9'1"	8'11"	8'11"	8'7"		
	15'2'	16'1"	15'11"	15'7"	15′9′′	15'5"		
	15'5"	16'5"	16'3"	15'11"	16'1"	15'9"		
DΒ	15'9"	16'9"	16'7"	16'3"	16'5"	16'1"		
	16'1"	17'1"	16'11"	16'7"	16'9"	16'5"		
	16'5"	17'5"	17'3"	16'11"	17'1"	16'9"		
	7'7" + 15'2"	24'8"	24'6"	24'2"	24'4"	23'12"		
EB + DB	¥7'11" + 15'5"	25'4"	25'2"	24'10"	24'12"	24'8"		
Example		25'12"	25'10"	25'6"	25'8"	25'4"		
maria de la companio	8'3" + 16'5"	26'7"	26'5"	26'1"	26'3"	25'12"		

Standard width = parking space width 7'7"

End parking spaces are generally more difficult to drive into. Therefore we recommended for end parking spaces our wider platforms.

Parking on standard width platforms with larger vehicles may make getting into and out of the vehicle difficult. This depends on type of vehicle, approach and above all on the individual driver's skill.

Widths - Garage with Door in Front of Car Parking System

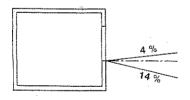


	Usable Platform Width	DF		S
	7'7"	.7'10"	5"	/*10 ! !
3 8	7'11"	8 ' 3"	5"	10"
	8'3"	8'3"	6"	12"
	15"2"	15,2"	6"	12"
	15'5"	15'7"	5"	10"
DB	15'9"	15'7"	7"	14"
	16'1"	16'5"	5 "	10"
	16'5"	16'5"	6"	12"

DF = door entrance width

A₃ = seat-engaging surface (dimensions require coordination with door supplier).

Approach

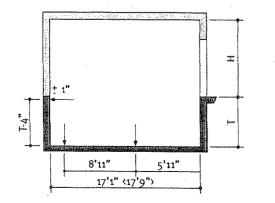


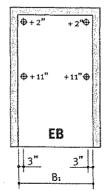


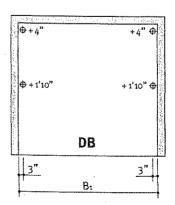
These illustrated maximum approach angles must NOT be exceeded. Incorrect approach angles will cause SERIOUS MANEOUVRING & POSITIONING PROBLEMS on the parking system for which the local agency of Klaus accepts no responsibility

Load Plan

forces in kN

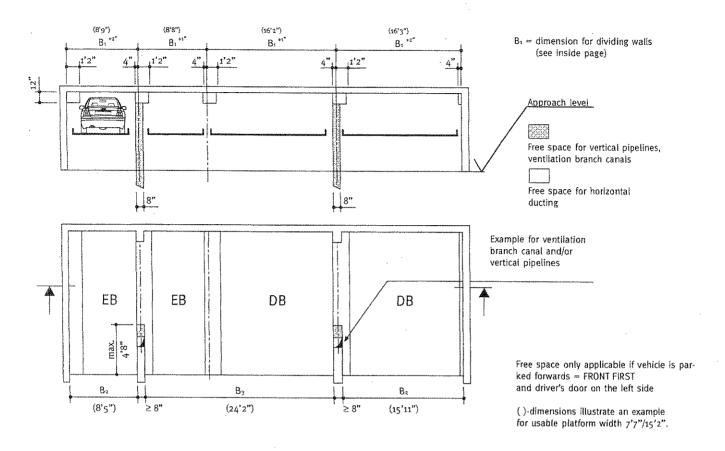






Units are bolted to the floor. Drilling depth approx. 6".

Free space for longitudinal and vertical ducts (e. g. ventilation)



Electrical Data

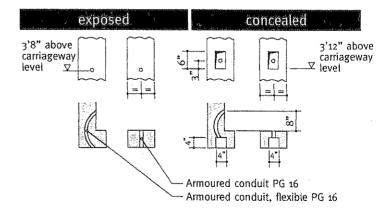
Generally to be effected by customer:

- electrical wiring 5 x 2,5 mm² per unit
- delayed-action mains fuse 3 x 16 A per unit "EMERGENCY-OFF"/main power supply
- · switch, lockable, per unit

Electrical wiring:

Electrical wiring is carried out by customer or by the local agency of Klaus in accordance with our circuit diagram/s. (Please see the respective quotation at hand)

Cable conduits and recesses for operating element:



Technical Data:

Power Units

Low-noise units mounted to rubber-bonded-to-metal mountings are installed. Nevertheless we recommend to build the parking system's garage separately from the dwelling house.

Safety Railings

Any safety railings which become necessary due to the installation of the system at access points, walkways, traffic lanes etc. will have to be provided/paid for by the customer.

The following documents may be supplied upon request

wall recess plans

test sheet on airborne and solid-borne sound declaration of conformity

Issue 12/99

We reserve the right to change this specification without further notice.

Agenda item No
File Code No. 640.09



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE:

May 6, 2008

TO:

Mayor and Councilmembers

FROM:

Planning Division, Community Development Department

SUBJECT:

Preliminary Economic Development Designation For

101 East Victoria Street Project

RECOMMENDATION:

That Council make a preliminary finding that the project proposed for 101 East Victoria Street meets the definition of an Economic Development Project and grant the proposed project a Preliminary Economic Development Designation for 2,707 square feet of non-residential floor area.

DISCUSSION:

Project Description

The project site is located at 101 E. Victoria Street at the corner of Anacapa and Victoria Streets. The site is zoned C-2, Commercial and has a General Plan designation of Office and Major Public/Institutional.

The proposed project consists of a proposal to demolish an existing two-story 11,900 square foot commercial office building and construct 17,607 square feet of commercial space comprised of 50 condominium office units on a parcel of approximately 19,725 square feet. Each commercial condominium would be approximately 320 square feet. A common locker room and restroom facilities would be located on the first floor and a common conference room would be located on the second floor. This type of office development is a unique concept to be considered for the City's Downtown area (see applicant's letter, Attachment 2). After reconstruction of the existing 11,900 square feet, an additional 5,707 square feet of commercial space would be required for the development of the proposed project. A total of 3,000 sq. ft. would be allocated from the Minor and Small Addition categories and the remaining 2,707 sq. ft. is requested from the Economic Development Project category.

The proposed project requires 50 parking spaces. An additional eight spaces are to be reserved for an easement favoring the adjacent parcel (109 E. Victoria St.) resulting in a total of 58 required parking spaces. Forty-five (45) parking spaces are proposed in an underground garage; therefore, a modification to allow less than the required number of parking spaces will be requested. Both the off-site easement and additional floor area

Council Agenda Report
Preliminary Economic Development Designation For 101 East Victoria Street Project
May 6, 2008
Page 2

requested relate to the parking modification, and need to be carefully considered as the Planning Commission reviews the project.

Request for Preliminary Economic Development Designation

As required by SBMC§28.87.300 (Development Plan Review and Approval), a project that has an Economic Development Designation will enhance the standard of living for City and South Coast residents and will strengthen the local or regional economy by either creating new permanent employment opportunities or enhancing the City's revenue base, and will accomplish one or more of the following:

- a. Support diversity and balance in the local or regional economy by establishing or expanding businesses or industries in sectors which currently do not exist on the South Coast or are present only in a limited manner; or
- b. Provide new recreational, educational, or cultural opportunities for City residents and visitors; or
- c. Provide products or services which are currently not available or are in limited supply either locally or regionally.

The applicant states, and staff concurs, that the proposed project consisting of 50 small commercial condominiums could qualify for an Economic Development Designation because it would create new employment opportunities and enhance the City's revenue base. In addition, it would provide opportunities for sole practitioners or small business owners to purchase a small office space that is not currently available in the downtown area. The applicant further states that there is a tremendous unmet need in the commercial market for such facilities. The proposed project could fill that need and, as a result, the small business owners would potentially conduct additional business in the downtown area thereby further enhancing the revenue base of the City.

At present, a total of 398,485 square feet is remaining in the Economic Development Category for allocation. Prior designations granted by the Council are shown in Attachment 3.

On May 10, 2007, the Planning Commission held a concept review of the proposed project. At that time, the Commissioners commented favorably on allowing the project to acquire non-residential square footage through the Economic Development Category. All Commissioners commented favorably on the small commercial condominium concept being unique for Santa Barbara. The Commission liked the architectural approach. Staff and the Commission discussed the downtown parking rate of 1 space per 500 square feet and the Zone of Benefit (ZOB) for the area and how although the site is very near to the Granada Garage it is not within the ZOB. The Commission expressed both interest and caution in terms of the parking demand analysis and parking modification.

Council Agenda Report Preliminary Economic Development Designation For 101 East Victoria Street Project May 6, 2008 Page 3

Next Steps

If the request for a Preliminary Economic Development Designation is granted by the City Council, the proposed project would continue to the Planning Commission on May 22, 2008 for consideration of project approval. At that time, the Planning Commission would, as part of the review, be asked to make a recommendation to the City Council concerning the Final Economic Development Designation. The application would then be forwarded to the City Council, together with the Planning Commission's recommendation, for a Final Designation as an economic development project.

NOTE:

The project plans have been sent separately to the City Council and are available for public review in the Mayor and Council Office and the City Clerk's Office.

ATTACHMENTS: 1. Site Plan

2. Applicant Letter dated April 21, 2008 3. Economic Development Projects

PREPARED BY:

Kathleen Kennedy, Associate Planner

SUBMITTED BY:

Dave Gustafson, Acting Community Development Director

APPROVED BY:

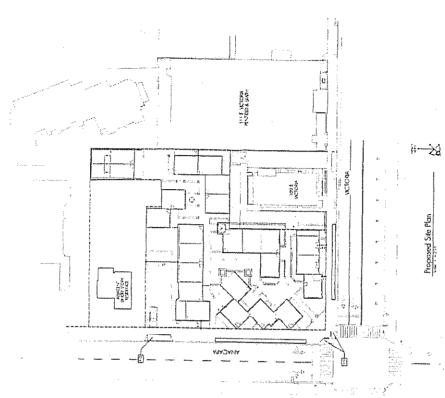
City Administrator's Office



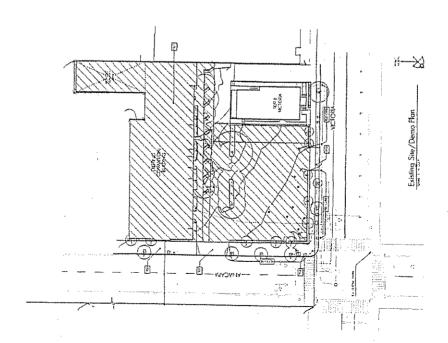
President project be: Schager, 101 E. Victoria 1011 Proge Some Butters CA 91101 Matterscards

(C) 4 (C) 4









ATTACHMENT 2

Brownstelling yate Astrange Farber I Schreck

California Mercer with Hatch & Parent

April 21, 2008

Mayor Blum and Members of the City Council City of Santa Barbara P.O. Box 1990 Santa Barbara, CA 93102-1990

Eva turenchalk, AICP Land Use Planner 805.451.5633 tel 805.965.4333 fax eturenchalk@bhfs.com

RE:

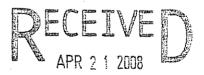
Measure E Allocation Request for Condominium Office Project 101 E. Victoria Street, APN: 029-071-013

Dear Mayor Blum and Members of the City Council:

Our office represents 101 East, LLC, applicants for a condominium office project on Victoria Street. 101 East, LLC proposes to replace the existing building at 101 E. Victoria, on the corner of Victoria and Anacapa Streets (APN: 029-071-013), with individual office condominiums. The condominiums will be approximately 300 sf each, and are intended to allow sole proprietors and very small businesses the opportunity to purchase their own office space. Parking for the project will be provided via a new underground parking garage on the property.

Our application includes a Development Plan request for square footage under Measure E. Measure E defines an Economic Development Project as one which "will enhance the standard of living for City and South Coast residents and will strengthen the local or regional economy by either creating new permanent employment opportunities or enhancing the City's revenue base." An Economic Development Project should also accomplish one of three goals contained in the Zoning Ordinance.

The proposed project meets both of these standards. In addition to increasing the City's revenue base, the project would accomplish goal (c) which is to "provide products or services which are currently not available or are in limited supply either locally or regionally." We know of no other condominium office space in the City or the region that allows sole practitioners or very small businesses the opportunity to purchase their own office space. There is a tremendous unmet need in the commercial market for such facilities. Approving this project as an Economic Development Project would fill that void and, further, would allow many of the future owners to relocate their offices from their homes into the downtown area, where, in addition to conducting their businesses, they are likely to go out for lunch and run their errands. As a result, this project will provide economic benefit to the small business owners looking for their own space in the downtown area, to the existing downtown merchants that will benefit from having these business owners downtown, and to the City by way of increased sales tax.



CITY OF SANTA BARBARA PLANNING DIVISION

Mayor Blum and Members of the City Council April 21, 2008 Page 2

Measure E Allocation Request

The existing office building on the property is 11,900 sf and the proposed project would include 17,607 sf of office space. In addition to applying the 3,000 sf allocated to the property under the Small Addition provision of Measure E, we are requesting an additional allocation of 2,707 square feet under the Economic Development Project provision of Measure E.

Project Details

The existing 11,900 sf commercial office space will be demolished and replaced with 50 commercial condominiums totaling 17,607 sf. The units are configured in clusters to create a village atmosphere with paseos and courtyards which will allow for landscape opportunities throughout the site.

The project height will vary throughout the project, with a maximum height of three stories. The proposed project includes 22 units on the first floor, 17 units on the second floor and 11 units on the third floor. Each unit is approximately 300 sf in size. The first floor will also house locker/restroom facilities and a community conference room will be located on the second floor.

The office condominiums are intended to serve sole proprietors and very small businesses looking for the opportunity to own their own office space downtown. While we believe that the size of the units will discourage uses outside of this category, we are happy to incorporate language in the project CC&Rs that prohibits medical office or retail use.

The project will be providing bicycle parking as well as a locker room with showers to facilitate the use of alternative transportation for the building occupants.

An underground parking garage will provide 45 parking spaces, eight of which will be reserved for the property owner at 109 E. Victoria based on an existing easement agreement. Upon project approval, the existing easement will be revised to allow tenants at 109 E. Victoria access to the underground parking garage as detailed in the Memorandum of Understanding between 101 East, LLC and the adjacent property owner included as part of this submittal. Also included in the Memorandum of Understanding are the details of how other existing easements will be revised and new easements will be created to allow openings along the property line, a portion of the parking garage to encroach into the 109 E. Victoria property, and a landscape easement between the two properties.

Replacing the existing at-grade parking with an underground parking garage, combined with the proposed landscape easement provides the opportunity for greatly enhanced landscaping on this key, corner property. Site landscaping will go from just over 5% of the site to approximately 20% of the site as part of the proposed project.

This project was reviewed by HLC on February 21st, March 7th and April 4th of last year. Overall, we received favorable comments on the architecture and the size, bulk and scale of the project.

Mayor Blum and Members of the City Council April 21, 2008 Page 3

Additionally, this project was before your Planning Commission on May 10, 2007 for Conceptual review. During this hearing we received favorable comments on our request for Measure E square footage under the Economic Development Project category.

Sustainability

101 East, LLC will be a model project for sustainable development and has been designed to achieve a LEED $^{\otimes}$ Silver Rating. Some of the sustainable aspects include:

- · Bicycle storage and locker rooms for non-auto commuters
- · Alternative fuel refueling stations for plug-in hybrids, electric bikes and segways.
- · Stormwater treatment and rainwater retention for landscaping
- 2,223 square feet of "green" roofs to reduce heat islands
- 4 KW photovoltaic system
- · Dual flush toilets, waterless urinals and water-efficient landscaping
- · Construction waste management plan to divert 75% of construction waste

We see this project as very beneficial to the City in many ways, and hope you concur in this assessment. Should you have any questions as you review this proposal, please do not hesitate to contact me. We look forward to working with you towards the successful completion of this project.

Sincerely,

Eva A. Furenchalk, AICF

Land Use Planner/LEED Accredited Professional

SB 464396 v1:011295.0002

PROJECTS WITH PRELIMINARY OR FINAL ECONOMIC DEVELOPMENT DESIGNATIONS

Project/Address	PRELIM. DESIG. (SQ. FT.)	FINAL DESIG. (SQ. FT.)	STATUS/ COMMENT
Gateway Project (Miravant)			
6100 Hollister Avenue	0000	80,000	Approved 5/28/2000
MST97-00715		,	
Architectural Millworks			
815 Quinientos Street		15,000	C of O 1/20/2004
MST97-00320			
Penfield and Smith		And the control of the same of	
111 E Victoria St		7,905	BP 2/11/2005
MST2002-00243			
Software.com			
630-634 Anacapa Street	26,493		Withdrawn
MST97-00520			
Alliance Manufacturing Software	3		THE PROPERTY OF THE PROPERTY O
1035 Chapala Street	30,257		Withdrawn
MST98-00051			
Fielding Institute			
4151 Foothill Road	22,499		Expired 4/23/2005
MST2001-00840			
Airport Mobile Structure			
500 Fowler Rd		720	Approved 6/20/02
MST2002-00265			
Cottage Hospital			
320 W Pueblo St		182,541	Under Construction
MST2003-00152			
Granada Theatre	-		
1216 State St		13,360	Approved 3/23/04
MST2004-00005			
SUBTOTALS	0*	299,526	SUBTOTALS
ALLOCATED TO DATE: 299,526 SQFT*			
REMAINING UNALLOCATED: 398,484 SQFT			T =
	•		

04-30-08

^{*}Does not include SF from Software.Com or Alliance, which have been withdrawn

MOTION: Jacobs /Larson

Continue certification of the EIR indefinitely and request that supplemental slope stability evaluation be prepared to evaluate post-development conditions and, if necessary, building and grading plans be revised to reduce potential slope stability impacts.

Mr. Vincent asked that before a vote is taken, the neighbors express their feelings.

Mr. Franco, speaking for the neighbors, expressed concern that the trenching may contribute to erosion and instability to the other neighbors and still not get to the bedrock.

Mr. Franco stated that he would not be willing to allow access to Dr. Anikouchine for the work described. Mr. Franco stated that Dr. Barthels does not have an access easement. The Commission is at an impasse and looked to further discussion to resolve.

Dr. William Anikouchine, Geologist, spoke to the 17 studies conducted not having addressed the stability of the slope and only giving conclusions. In order to evaluate the findings of the several reports, it must be determined if the slope is stable and the reports are adequate. Dr. Anikouchine responded to the Commission's question about the work proposed and minimizing any impact to slope stability by saying that the scope of work proposed includes trenching, using strike-and-hit technique. Trenching will not make the slope unstable.

The Motion was withdrawn.

MOTION: Thompson/Larson

Continue the project to allow Staff and the Applicant to do whatever testing is necessary.

This motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: 0 Absent: 1 (Jostes)

ACTUAL TIME: 4:51 P.M.

C. APPLICATION OF CEARNAL ANDRULAITIS LLP, ARCHITECT FOR SCHAAR HOMES, 101 E. VICTORIA STREET, APN 029-071-013, C-2, COMMERCIAL ZONE, GENERAL PLAN DESIGNATION: OFFICE AND MAJOR PUBLIC/INSTITUTIONAL (MST2006-00758)

The project consists of a proposal to demolish an existing two-story 11,900 square foot commercial office building and construct a new three-story 17,607 square foot commercial building comprised of 50 condominium office units on a 19,725 square foot parcel. A total of forty-five parking spaces would be provided in an

underground garage, with eight reserved for the adjacent parcel located at 109 E. Victoria Street.

The discretionary applications required for this project are:

- 1. <u>Modification</u> of the parking requirements to allow less than the number of required parking spaces (SBMC§28.90);
- 2. <u>Tentative Subdivision Map</u> to create a one-lot subdivision for 50 commercial condominium units (SBMC§27.07);
- 3. <u>Development Plan</u> approval to allow 5,707 square feet of additional non-residential development (SBMC§28.87.300); and
- 4. <u>Preliminary Economic Development Determination</u> (SBMC28.87.300).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15332 (In-fill Development Project).

Case Planner: Kathleen Kennedy, Associate Planner Email: kkennedy@SantaBarbaraCA.gov

RECUSALS: To avoid any actual or perceived conflict of interest Commissioner Charmaine Jacobs recused herself due to her husband working at the same firm as the Applicant's representative.

Kathleen Kennedy, Associate Planner, gave the Staff presentation and stated that five letters had been received for the project and was joined by Rob Dayton, Principal Transportation Planner; and Tom Rejzek, Geologist, Santa Barbara County Fire Department LUFT Program.

Mr. Rejzek responded to the Commission's questions about the contamination under Victoria Street being identified as groundwater contamination only, not soil.

Mr. Dayton answered Planning Commission's questions about the history of the delineated area of the Central Business District (CBD); determination of parking demand for the proposed square footage; how the lift system relates to parking, and valet parking.

Brian Cearnal, Cearnal Andrulaitis, LLP, gave the applicant presentation and introduced his team of Joe Andrulaitis, Architect; Susan Van Atta, Landscape Architect; Eva Turenchalk, Planner; and Peter Brown, Attorney, both of Brownstein Hyatt Farber Schreck.

Mr. Cearnal answered the Planning Commission's questions about the area being too narrow to provide garage access located on the east side of 109 E. Victoria; positioning of solar panels; and clarification about the parking driveway easement between 109 E. Victoria Street and 101 E. Victoria Street.

Ms. Hubbell added that there is nothing in the Zoning Ordinance that prohibits the use of the parking reduction for office buildings over certain sizes in the Commercial Business District or any place else in the City.

Chair Myers opened the public hearing at 5:51 P.M.

The following people spoke in support of the project:

1. Mark Mattingly, a Commercial Realtor, supports this project as the first of its kind in the City and said that the small office vacancy rate is below 1% in the small business market. People are buying small houses and converting them to offices that then result in a loss to the housing market.

The following people spoke in opposition to the project or with concerns:

- 1. Kellum de Forest expressed concern about the number of parking spaces as related to the number of office units; also concerned with the driveway entrance on Anacapa Street.
- 2. Len Kaplan, adjoining neighbor at Arlington Court, is concerned with the project height in relationship to his property and the close visual proximity to the conference room windows next door. Also concerned about the increase in pedestrian traffic with a new corner cupcake business and the concern for pedestrian safety, especially children.
- 3. Claudia Lapin, Arlington Court, stated that her kitchen will directly face the conference room and is concerned that, with individual ownership, she will not be able to complain to anyone. Requests that there be noise insulation from people and parking lifts; concerned with occupants being present 24/7. Asks for less density in the rear. It is not true that everyone uses a bicycle and asks for consideration of actual parking concerns.
- 4. Bob Chyla, Arlington Court, shares the concern about the loss of privacy and potential uses of the conference room by the future owners of the units. Concerned with the addition of a second story patio that would allow users to look into their yard.
- 5. Jessica Cesaroni, President, Arlington Court Owners Association, was concerned with parking of 45 parking spaces for 50 units. Asks that the square footage be reduced by 3, 250 square feet to meet City Code for parking. The project will have a significant adverse impact on the neighborhood. She was also concerned with the view from the second floor conference room, and the impact on their privacy. Concerned with impacts to traffic and soil contamination issues.
- 6. Claudia Chyla, Arlington Court resident, is an adjoining neighbor who is concerned with the loss of privacy. Her residence looks directly into the conference room and is concerned with the potential for 24 hours of conference room use. There is concern with parking use and the potential for

more users at Arlington Court. Asks consideration for parking entry to be on Victoria Street.

With no one else wishing to speak, the public hearing was closed at 6:16 P.M.

Mr. Cearnal stated that the parking will be for owners only and will be gated. He stated that the owner would be receptive to a condition that would limit units in excess of four being combined as one unit. Would consider having a loading area striped for UPS trucks. The conference room is an amenity for owners and the applicant is receptive to a condition for hours of use. Mr. Cearnal clarified the location of bathrooms near the conference room, and the number of existing curb cuts eliminated and how the space could be striped for loading and would not reduce on-street parking.

Commissioner's comments:

- 1. The Commission expressed appreciation for all the public comment received and the hospitality during the site visit.
- 2. One Commissioner was concerned with the limited parking and the level of noise associated with the car lifts.
- 3. The design is pleasing and well thought out.
- 4. Some Commissioners shared concern with the loss of the Courthouse clock view from Arlington Court, but acknowledged that it is not a public view.
- 5. Commissioners suggested that the Applicant restrict the hours of use for the conference room and that light and noise pollution be considered. There is a concern with canyonization of noise.
- 6. One Commissioner stated that the view of the conference room is an improvement over the prior view of a crematorium.
- 7. Two Commissioners support the project and parking modification. The delineated parking area was arbitrary and should be addressed permanently during the General Plan Update.
- 8. Would like to have seen another option for the parking entry, but acknowledges that the applicant has made efforts to study. One Commissioner cannot support the driveway on Anacapa Street.
- 9. Likes smaller units but does not support a condition to limit the potential combining of smaller units.
- 10. One Commissioner expressed appreciation for the scale of the project, given the potential for more development.
- 11. Commissioners were concerned with the enforcement and accountability of owners to neighbors with future use of common areas as there will not be an onsite manager.
- 12. Two Commissioners cannot support the parking modification and find that the parking study supports a project that has never been tried and does not take into account all transportation methods.

- 13. One Commissioner expressed disbelief that a commercial association for units that include residential potential will not be as accountable as a Homeowners Association.
- 14. One Commissioner thought that the three driveway cuts within 150' along Anacapa Street were too many.
- 15. One Commissioner asked staff to consider selling the parking spaces separately from the units.
- 16. One Commissioner was intrigued with the various scenarios for power outages and the impact to use of the garage lifts, as well as the noise that any generator would bring.

Mr. Cearnal and Ms. Hubbell responded that the parking lifts are electric, thus not very noisy, and are located underground.

Mr. Cearnal addressed questions about parking by stating that there would be an indicator that would show when parking was full; there would be a commercial owners' association to address potential concerns; and there is expansion potential for more parking lifts. Mr. Cearnal stated that separate parking ownership would defeat the flexibility of the parking lot use.

MOTION: Bartlett/Larson

Approve the parking Modification, Tentative Subdivision Map, Development Plan, and the Preliminary Economic Development, making the findings in the Staff Report, with the added conditions that 1) The applicant is to consider loading space and other on-street parking south of driveway on Anacapa Street; and 2) Consider a bulb-out on the Anacapa Street side of the intersection with the goal of adding additional landscape to act as a buffer to the restaurant across the street.

Some Commissioners remained concerned with the unrestricted use of the conference room; the lack of a parking space for each unit; and the lack of contact information for neighbors.

Ms. Hubbell spoke to Staff's consideration for not placing restrictions on the conference room and the associated enforcement issues that arise.

One Commissioner suggested that contact information be provided to neighbors.

This motion failed by the following vote:

Ayes: 2 Noes: 3 (Larson, Thompson, White) Abstain: 0 Absent: 2 (Jacobs, Jostes)

The Commission gave the applicant the opportunity to reconsider his request to remove the parking modification from the project.

Mr. Cearnal asked for five minutes to deliberate with his team, while the Commissioners continued with the Administrative Agenda.

Mr. Cearnal addressed the Commission and expressed disappointment that the Planning Commission states that it wants to be "green", yet will not take action to reduce parking. Applicant can agree to put in additional parking lifts and not ask for the parking modification.

Straw Poll:

Dig pits for 13 additional parking lifts, but not install the lifts unless it is determined that they would be needed.

Ayes: 5 Noes: 0 Abstain: 0 Absent: 2 (Jacobs, Jostes)

Two Commissioners remained concerned with the parking availability to units and preferred one space per unit.

Mr. Dayton suggested that a condition be added to restrict the sale of parking spaces to other off-site users.

MOTION: Bartlett/Larson Assigned Resolution No. 020-08

Approve the Modification, Tentative Subdivision Map, Development Plan, and the Economic Development, making the findings in the Staff Report, subject to the conditions of approval with the added conditions: 1) Consider providing loading spaces and other parking spaces south of the Anacapa driveway; 2) Consider a pedestrian bulb-out at the intersection of Victoria and Anacapa Streets; 3) Provide Condominium Association contact information to neighbors; and 4) Make allowances in construction for 13 additional parking lifts (in addition to the 3 lifts proposed by the applicant), monitor parking demand by independent monitor, subject to review by City Staff, and install additional parking lifts as necessary to meet demand.

Ayes: 5 Noes: 0 Abstain: 0 Absent: 2 (Jacobs, Jostes)

Chair Myers announced the ten calendar day appeal period.

THE FOLLOWING PROJECT HAS BEEN CONTINUED TO JUNE 12, 2008

D. APPLICATION OF TRISH ALLEN, AGENT FOR 800 SANTA BARBARA STREET LLC, PROPERTY OWNER OF 800 SANTA BARBARA STREET, APN: 031-012-028, C-2, COMMERCIAL ZONE, GENERAL PLAN DESIGNATION: MAJOR PUBLIC & INSTITUTIONAL/OFFICES (MST2006-00129)

The proposed project involves the demolition of the existing 1,965 square foot onestory commercial building and the construction of a 14,147 square foot, two and